

## **REMARKS/ARGUMENTS**

Applicants respond herein to the Office Action of December 28, 2007. A Petition for Extension of Time (two months) and the fee therefor are submitted herewith.

Claims 1-28 are pending in the Application with Claims 13-22 having been previously withdrawn from consideration and are now canceled herein.

Claims 1-7 were rejected in the Office Action. Please note that, although the Response submitted on October 16, 2007 correctly stated that the Applicant elected Group I, it incorrectly identified Group I as including only claims 1-7. To correct this error, Applicant states that it elects Claims 1-12. In response to the Office Action, Applicants amended Claims 1-12, added Claims 23-28 and respectfully request reconsideration of the rejection.

Claims 1-7 were rejected in the Office Action under 35 U.S.C. 103(a) as being unpatentable over Tohjoh et al. (4,856,495) in view of Heinrichs et al. (6,092,722).

Claims 1 and 3, as amended, recite an optical adaptor which includes “an information device having information for identifying the optical adaptor and optical characteristic information including at least an angle of view and coordinates of a center of a screen of the optical adaptor.” Further, Claim 3 recites a control unit which receives the adaptor identifying information, the angle of view and coordinates of a center of a screen of the optical adaptor and calibrates the optical system of the optical adaptor and the light receiving section of the endoscope insertion section based on this received data. These limitations of Claims 1 and 3 are not disclosed in the cited prior art.

The Examiner indicated that Tohjoh does not disclose the optical adaptor which includes an information device and cited Heinrichs to remedy this deficiency. Heinrichs, however, does not disclose an information device which includes an angle of view information and coordinates of a center of a screen of the optical adaptor. Instead, data carriers 33 of Heinrichs convey unspecified “data signals which permit an automatic adaptation of the camera head 18 and of the video camera 15a.” (See, Heinrichs, Col. 5, lines 31-33). Therefore, the limitation of Claims 1 and 3 reciting that the information device includes at least the angle of view information and coordinates of the center of the screen of the optical adaptor, is not disclosed or suggested by the cited prior art. Further, with respect to Claim 3, Heinrichs does not teach or suggest having a

control unit which receives the adaptor identifying information, the angle of view and coordinates of a center of a screen of the optical adaptor and calibrates the optical system of the optical adaptor and the light receiving section of the endoscope insertion section based on this received data.

Accordingly, Claims 1 and 3 are allowable over the prior art of record.

New independent Claim 23 recites a control unit storing at least one of the information for identifying the optical adaptor or an optical characteristic information in its memory and applying this stored information to a measurement process without being read by the reading section. This limitation of Claim 23 is not disclosed or suggested by the cited prior art. Claims 2, 4-12 and 24-27 depend directly or indirectly from Claim 23. Therefore, Claims 2, 4-12 and 24-27 are allowable at least for the same reasons as Claim 23 and, further, on their own merits.

New independent Claim 28 recites a stereo measurement method using an endoscope device that includes the steps of obtaining a positional error between the charge coupled device and the observation optical system using a relative position information and the information related to the relative position, correcting the optical data using the positional error, performing coordinate transformation of a measurement image based on the optical data after the correction, and obtaining three positional coordinates of an arbitrary point by matching images obtained by coordinate transformation. These steps are not disclosed or suggested by the cited prior art. Therefore, Claim 28 is allowable over the prior art of record.

Reconsideration of the rejection and allowance of Claims 1-12 and 23-28 is respectfully requested. Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
ON MAY 20, 2008

  
MAX MOSKOWITZ  
Registration No.: 30,576  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700